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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/059,083	01/28/2002	Shell S. Simpson	10008202 -1	3244

7590 04/18/2006

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EXAMINER

ENG, DAVID Y

ART UNIT

PAPER NUMBER

2155

DATE MAILED: 04/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/059,083	SIMPSON ET AL.
	Examiner	Art Unit
	DAVID Y. ENG	2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 27 March 2006.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-24 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 28 January 2002 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action, for a list of the certified copies not received.

Attachment(s)

- | | |
|--------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ . |

The active claims are 1-24.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1-8, 10-11, 13-17, 19-24 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Kraslavsky (USP 5,613,160).

See Figure 1 and 5A, the corresponding description in the specification and the description of PSERVER in lines 42-46 of column 5. Kraslavsky teaches:

A method of transmitting a message (transmitting log of failure via a network, column 16, line 11-14), the method comprising:

determining if a device encounters an event while processing a job (inherent in logging a printer failure);

determining if the job meets a pre-determined criterion (number of pages per job, etc. lines 31-36 of column 17);

transmitting a message to a remote destination (lines 11-14 of column 16) when each of a set of predetermined conditions exist (lines 31-36 of column 17), the pre-determined condition include:

a determination that the device encountered the event while processing the job; and

a determination that the job met the pre-determined criterion (repetitive).

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kraslavsky (USP 5,613,160) in view of Fillon (USP 5,778,183).

Claims 12 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kraslavsky (USP 5,613,160) and Fillon (USP 5,778,183) further in view of Smyk (USP 5,751,961).

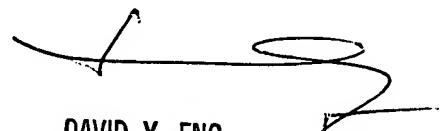
Details of the rejections have already been set forth in the previous Office actions. The details are incorporated herein by reference thereto.

In the communication filed on 3/27/2006, Applicants contended that the applied references do not teach the recitation in the claims. The Examiner disagrees. As demonstrated in the rejections above, the applied references teach all claimed limitations. The claims broadly and repetitively recite transmitting a message to a remote destination when a print job met the pre-determined criterion (job failure or number of pages per job, etc). As explained in the rejection above, Kraslavsky teaches a system (Figure 1) and a method (Figure 5) for processing a print job. Preconditions happening during a print job are detected or determined, logged and transmitted (column 16, lines 11-14) over a network to a remote area. No inventive concept or improvement is seen from the claims with respect to the applied references. Applicants fail to explain why the claimed invention is patentable distinct over the applied references.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID Y. ENG whose telephone number is 571-272-3984. The examiner can normally be reached on M-F from 8AM to 3PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, SALEH NAJJAR, can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



DAVID Y. ENG
PRIMARY EXAMINER